

House File 646

S-3253

1 Amend the amendment, S-3239, to House File 646,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 9, line 34, by striking <ACCOUNT> and
5 inserting <FUND>
6 2. Page 9, line 36, by striking <account> and
7 inserting <fund>
8 3. Page 9, line 45, by striking <ACCOUNT> and
9 inserting <FUND>
10 4. Page 9, line 47, by striking <account> and
11 inserting <fund>
12 5. Page 10, line 16, by striking <ACCOUNT> and
13 inserting <FUND>
14 6. Page 10, line 17, by striking <account> and
15 inserting <fund>
16 7. Page 21, after line 43 by inserting:
17 <Sec. _____. Section 249A.7, Code 2011, is amended to
18 read as follows:
19 **249A.7 Fraudulent practices — investigations and**
20 **audits — Medicaid fraud account fund.**
21 1. A person who obtains assistance or payments for
22 medical assistance under this chapter by knowingly
23 making or causing to be made, a false statement or a
24 misrepresentation of a material fact or by knowingly
25 failing to disclose a material fact required of an
26 applicant for aid under the provisions of this chapter
27 and a person who knowingly makes or causes to be made,
28 a false statement or a misrepresentation of a material
29 fact or knowingly fails to disclose a material fact
30 concerning the applicant's eligibility for aid under
31 this chapter commits a fraudulent practice.
32 2. The department of inspections and appeals
33 shall conduct investigations and audits as deemed
34 necessary to ensure compliance with the medical
35 assistance program administered under this chapter.
36 The department of inspections and appeals shall
37 cooperate with the department of human services
38 on the development of procedures relating to such
39 investigations and audits to ensure compliance with
40 federal and state single state agency requirements.
41 3. A Medicaid fraud account fund is created ~~in the~~
42 ~~general fund of the state~~ under the authority of the
43 department of inspections and appeals. Moneys from
44 penalties and other amounts received as a result of
45 prosecutions involving the department of inspections
46 and appeals investigations and audits to ensure
47 compliance with the medical assistance program that
48 are not credited to the program may be credited to
49 the account fund. Notwithstanding sections 8.33 and
50 8.39, moneys credited to the account fund shall not

1 revert to any other account or fund and are not subject
2 to transfer except as specifically provided by law.
3 Moneys in the fund shall be used for costs associated
4 with the department of inspections and appeals'
5 efforts to address medical assistance program fraud
6 and abuse and for costs incurred by the department of
7 inspections and appeals or other agencies in providing
8 regulation, responding to allegations, or other
9 activity involving chapter 1350. The department of
10 inspections and appeals and other agencies receiving
11 moneys from the ~~account~~ fund shall provide a joint
12 annual report to the governor and general assembly
13 detailing the expenditures from the ~~account~~ fund and
14 activities performed relating to the expenditures.
15 ~~This subsection is repealed on July 1, 2012. Any~~
16 ~~remaining balance of unencumbered or unallocated moneys~~
17 ~~in the Medicaid fraud account in existence prior to~~
18 ~~July 1, 2011, shall not revert but shall be deposited~~
19 ~~into the Medicaid fraud fund and used as provided in~~
20 ~~this section.>~~
21 8. By renumbering as necessary.

PAM JOCHUM